

IN THE CLAIMS

The following amendment is made to the claims 1 through 16 found in the Annex to the International Preliminary Report on Patentability.

CLAIMS

1. (Original) A method between a communications device and a communications network, which communications network generally provides at least a direct cell access mechanism and an alternative cell access mechanism for the communications device for uplink access to the communications network, wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel, the method comprising:

determining by the communications network and indicating to the communications device whether the direct cell access mechanism can at a given time be provided.

2. (Original) A method according to claim 1, wherein in a situation in which the direct cell access can not be provided the method comprises:

indicating to the communications device that the alternative cell access mechanism should be used.

3. (Original) A method according to claim 2, wherein the alternative cell access mechanism comprises using a separate access channel for uplink access.

4. (Currently Amended) A method according to ~~any preceding~~ claim 1, wherein said indicating whether the direct cell access mechanism can be provided

comprises indicating whether the communications device can directly start sending user data on a traffic channel at a high data rate.

5. (Currently Amended) A method according to claim 4, wherein a radio interface between the mobile communications device (110) and the base station (120) is layered into protocol layers which form a protocol stack, and the traffic channel forms part of a logical traffic channel operating on a data link layer (Layer 2) of the protocol stack.

6. (Original) A method according to claim 5, wherein said indicating whether the communications device can directly start sending on a traffic channel is carried out on a network layer (Layer 3) of the protocol stack.

7. (Original) A method according to claim 1, wherein said indicating whether the direct cell access mechanism can be provided is performed by sending a broadcast message to a set of communications devices including the communications device of claim 1.

8. (Original) A method according to claim 7, wherein said broadcast message contains a parameter value further restricting the set of communications devices.

9. (Original) A method according to claim 1, wherein said indicating whether the direct cell access mechanism can be provided is performed by sending a multicast message to a limited set of communications devices including the communications device of claim 1.

10. (Original) A method according to claim 1, wherein said indicating whether the direct cell access mechanism can be provided is performed by sending a point-to-point message to the communications device.

11. (Currently Amended) A method according to ~~any of the~~ claims 7 ~~to 10~~, wherein said message conveys to the communications device a parameter value indicating whether the direct cell access mechanism is enabled.

12. (Currently Amended) A method according to ~~any preceding~~ claim 1, wherein the communications network comprises a base station serving a cell of a mobile communications system, and wherein the method comprises:

performing traffic and/or radio measurements by the base station; and

determining by the base station whether the direct cell access mechanism can at a given time be provided on the basis of said measurements.

13. (Currently Amended) A communications device ~~(110)~~ configured for operation with a communications network, which communications network generally provides at least a direct cell access mechanism and an alternative cell access mechanism for the communications device ~~(110)~~ for uplink access to the communications network, wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel, the communications device ~~(110)~~ comprising:

means (RF, MCU, 515, SW) for receiving an indication sent by the communications network, the indication indicating to the communications device ~~(110)~~ whether the direct cell access mechanism can at a given time be provided.

14. (Currently Amended) A communications device ~~(110)~~ according to claim 13, wherein the communications device is a mobile hand-held device of a cellular communications network.

15. (Currently Amended) A base station ~~(120)~~ of a communications network, which communications network generally provides at least a direct cell access mechanism and an alternative cell access mechanism for a communications device ~~(110)~~ for uplink access to the communications network, wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel, the base station ~~(120)~~ comprising:

means ~~(420, 425, 440)~~ for determining and indicating to the communications device ~~(110)~~ whether the direct cell access mechanism can at a given time be provided.

16. (Currently Amended) A system comprising a communications device ~~(110)~~ and a communications network, which communications network generally provides at least a direct cell access mechanism and an alternative cell access mechanism for the communications device ~~(110)~~ for uplink access to the communications network, wherein the direct cell access mechanism is a

mechanism enabling the communications device to directly start sending user data on a traffic channel, the communications network comprising:

means ~~(420, 425, 440)~~ for determining and indicating to the communications device ~~(110)~~ whether the direct cell access mechanism can at a given time be provided; and the communications device ~~(110)~~ comprising:

means (RF, MCU, 515, SW) for receiving said indication.